

*ds*  
another such Z which is O or S, and is not N if attached by a single bond to another such Z which is N;

*Cb could*  
 $n = 0-3$ ; and

the dashed lines in the second and seventh structures shown depict optional double bonds.

#### REMARKS

Applicants wish to thank the Examiner for the many courtesies extended to Applicants' representatives during the interview on December 1, 1995 regarding this application.

Claims 4-32 have been allowed in the Office Action mailed December 4, 1995.

To facilitate allowance of this application, rejected claims 1-3 and 33-61 have been cancelled from this application in this Amendment:

Claims 4, 15, 19, 27, and 29-32 have each been amended to simplify the definition of  $R_5$  by deleting text in the third and fourth lines of the definition of  $R_5$ . These claims have also each been amended to correct a typographical error in the definition of  $R_{17}$ , seventh line, by correcting the word acryl to aryl.

Further, claims 21-23 have been amended in that the modulation of programmed cell death has been removed from the list of processes in claim 21, and claims 22 and 23 which are directed to programmed cell death as the affected processes are made dependent directly on claim 19 instead of claim 21.

It is not believed that the patentability of any of these claims is affected by these amendments.

Accordingly, it is believed that this application and its claims 4-32 are now in condition for allowance, which is earnestly solicited.

During the above-mentioned interview between Applicants' representatives and the Examiner on December 1, 1995, Applicants' representatives brought to the Examiner's attention the apparent interfering subject matter of the allowable claims of this application and that of previously disclosed PCT publication WO 94/12880, which claims priority to U.S. application Serial No. 07/982,305 filed November 25, 1992, and that Applicants understood that claims based on U.S. Serial No. 07/982,305 had been allowed by the U.S. PTO on May 16, 1995, which Applicants believe contain interfering subject matter to the claims allowable in this application, and which subject matter was first disclosed in Applicants' priority application U.S. Serial No. 07/872,707 filed April 22, 1992. Applicants have since learned that U.S. Serial No. 07/982,305 issued on November 14, 1995 as U.S. Patent No. 5,466,861. (Although PCT publication WO 94/12880 has been previously disclosed, a copy of now-issued U.S. Patent No. 5,466,861 is also being concurrently filed in a Supplementary Information Disclosure Statement.)

Also during the above-mentioned interview, Applicants' representatives further brought to the Examiner's attention the apparent interfering subject matter of allowable claims of this application with that claimed in issued U.S. Patent No. 5,399,586 (Davies et al.), filed on March 11, 1993 and issued on March 21, 1995, a copy of which was subsequently submitted by Supplemental Information Disclosure Statement filed by Applicants on December 14, 1995. Applicants believe U.S. Patent No. 5,399,586 claims subject matter which interferes with Applicants' allowable claims 22 and 23 of this application.

Accompanying this Response is a petition requesting a three-month extension of time to file this Response and Amendment, along with our check in the amount of \$900 for the

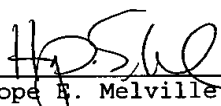
PATENT  
203/268

extension fee. The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this communication, or credit any overpayment, to Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: June 4, 1996

By:   
Hope R. Melville  
Reg. No. 34,874

LYON & LYON LLP  
633 West Fifth Street, Suite 4700  
Los Angeles, California 90071-2066  
(213) 489-1600